

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ERIK JIMENEZ-PEREZ, et al.,

Plaintiffs,

-against-

VARIETY CAFÉ, et al.,

Defendants.  
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13 Civ. 1656 (AJN)(AJP)


**ORDER OF DISMISSAL ON CONSENT**

**ANDREW J. PECK, United States Magistrate Judge:**

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, that any party may reinstate the action within 30 days hereof if the settlement is not fully effectuated. Any pending motions are to be terminated as moot and all scheduled conferences are cancelled.

SO ORDERED.

DATED: New York, New York  
March 5, 2014

  
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**Andrew J. Peck**  
United States Magistrate Judge

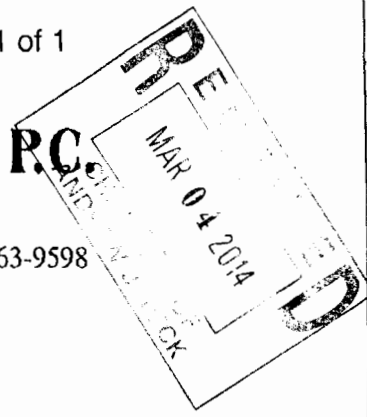
Copies **by ECF** to: All Counsel  
Judge Nathan



# Helen F. Dalton & Associates, P.C.

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**VIA ECF**

Honorable Judge Andrew J. Peck  
U.S. District Court  
Southern District of NY

March 4, 2014

Re: Eric Jimenez Perez et al v Variety Café et al  
Index # 13-cv-1656

Dear Honorable Judge Peck,

Our firm represents the Plaintiffs in the above referenced action. A Settlement Conference is scheduled for March 11, 2014 before Your Honor on this case. However, both parties have reached an agreement in principal and we are in the process of finalizing the settlement agreement.

Accordingly, on consent with Defense Counsel, we respectfully request that the Settlement Conference be adjourned with no future date. In the unlikely event any issues arise preventing the settlement, we will inform the Court promptly. Otherwise, we will file the Stipulation of Discontinuance.

This is our first request for an adjournment. Thank you.

Respectfully submitted,

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CC: Defense Counsel – via ECF